



BUILDING CERTIFICATE OF OCCUPANCY

By: Veronica Rose, Chief Analyst

By law, the state building inspector is authorized to issue official interpretations of the State Building Code (CGS § [29-252\(c\)](#)). The State Building Inspector's Office provided the responses to the questions posed below.

1. What is the purpose of a building certificate of occupancy?

This document certifies a building or structure complies with the State Building Code and is suitable for occupancy or use. The certificate is required for (1) newly constructed buildings or structures, (2) an addition to an existing building or structure, or (3) a building or structure that undergoes a change of use (such as a change from a residential to an educational use). The pertinent code provisions read as follows:

No building or structure erected or altered in any municipality . . . shall be occupied or used, in whole or in part, until a certificate of occupancy has been issued by the building official certifying that such building or structure or work performed pursuant to the building permit substantially complies with the provisions of the State Building Code (2003 International Building Code Portion of the 2005 State Building Code § 110).

No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies, unless such building is made to comply with the requirements of the code for such division or group of occupancy A certificate of occupancy shall be issued where it has been determined that the requirements for the new occupancy classification have been met (2003 International Building Code Portion of the 2005 State Building Code § 3406.1 & 2).

In order for a building, or addition, to get the certificate of occupancy, it must pass inspection by the building official, who is responsible for enforcing the code.

2. Should a certificate of occupancy be issued after renovations are completed on a project that required a building permit?

Only if the building's use changes (for example, in a case where an industrial building is converted to residential use). A certificate of occupancy is issued to certify new occupancy (as in the case of a new building or building expansion) or a change in occupancy. If an existing structure undergoes alterations or renovations and the occupancy does not change, no certificate is required (2003 International Building Code Portion of the 2005 State Building Code §§ 3406.1 & 2).

3. Once a building permit is issued and construction has started, who is responsible for ensuring that inspections and permits are properly closed out?

Under the code, the permit holder or his or her duly authorized agent is responsible for notifying the building official. The code states as follows:

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code (2003 International Building Code Portion of the 2005 State Building Code § 109.5).

4. Does the certificate of occupancy officially close out the permit?

The answer is yes. If a building must have a certificate of occupancy, the certificate certifies compliance and closes out the building permit.

5. What is a certificate of approval and when, if at all, should it be issued in place of a certificate of occupancy?

A certificate of approval is issued for work that requires a building permit but not a certificate of occupancy, such as alterations or renovations to existing structure, including siding, electrical, plumbing, and mechanical work. The certificate of approval, like the certificate of occupancy, is issued by the building official. It indicates substantial compliance with code requirements for all of the completed

work for which the permit was issued (2003 International Building Code Portion of the 2005 State Building Code § 110.6).

Attachments

2003 International Building Code Portion of the State Building Code § 110

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